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PATENT APPLICATION

ATTORNEY DOCKET NO. 200301731-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Rich Rogers et al.

Confirmation No.: 5616

Application No.: 09/727,972

Examiner: Abdulsalam, A.

Filing Date: November 30, 2000

Group Art Unit: 2629

Title: LCD and Active Web Icon Download

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on December 4, 2006.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00. Paid with Notice of Appeal.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

☐ 1st Month
\$120

☐ 2nd Month
\$450

☐ 3rd Month
\$1020

☐ 4th Month
\$1590

☐ The extension fee has already been filed in this application.

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 0 . At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

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Respectfully submitted,

Rich Rogers et al.

By 

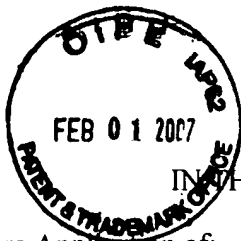
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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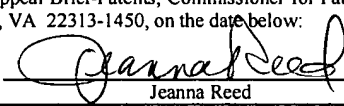
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Jeanna Reed

APPEAL BRIEF PURSUANT TO 37 C.F.R. §§ 41.31 AND 41.37

This Appeal Brief is being filed in furtherance to the Notice of Appeal mailed on November 30, 2006, and received by the Patent Office on December 4, 2006.

Appellants note that a fee of \$500.00 has already been paid with respect to this application for the Appeal Brief filed on November 4, 2005. Further, the previous appeal did not result in a final Board decision. In accordance with M.P.E.P. § 1204.01, Appellants respectfully note that the fee paid for the previous Appeal Brief should be applied to the instant Appeal Brief, and believe that no additional fee is due for the present filing. However, should any additional fees be required to advance prosecution of the present application, the Commissioner is authorized to charge such additional fees to Deposit Account No. 08-2025; Order No. 200301731-1/FLE (COMP:0084). In accordance with 37 C.F.R. § 1.136, Appellants hereby provide a general authorization to treat this and any future reply requiring an extension of time as incorporating a request therefor. Furthermore, Appellants authorize the Commissioner to charge the appropriate fee for any extension of time to Deposit Account No. 08-2025; Order No. 200301731-1/FLE (COMP:0084).

1. **REAL PARTY IN INTEREST**

The real party in interest is Hewlett-Packard Development Company, L.P. (hereinafter "HPDC"), a Texas Limited Partnership having its principal place of business in Houston, Texas, and successor in interest of Compaq Computer Corporation. Accordingly, HPDC, will be directly affected by the Board's decision in the pending appeal.

2. **RELATED APPEALS AND INTERFERENCES**

Appellants are unaware of any other appeals or interferences related to this Appeal, as indicated by "none" in the related proceedings appendix (10). The undersigned is Appellants' legal representative in this Appeal.

3. **STATUS OF CLAIMS**

Claims 1-32 are currently pending. Claims 1-32 are currently under final rejection and, thus, are the subject of this Appeal.

4. **STATUS OF AMENDMENTS**

The Appellants did not file any amendments after the Final Office Action mailed on October 3, 2006, and all previous amendments have been entered. Accordingly, there are no outstanding amendments.

5. **SUMMARY OF CLAIMED SUBJECT MATTER**

The following provides a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings by reference characters, as required by 37 C.F.R.

§ 41.37(c)(1)(v). Each element of the claims is identified by a corresponding reference to the specification and drawings where applicable. Note that the citation to passages in the specification and drawings for each claim element does not imply that the limitations from the specification and drawings should be read into the corresponding claim element.

Embodiments of the present invention are directed to a method and apparatus for displaying a plurality of icons (e.g., 74) on a user configurable keyboard (e.g., 16) to allow users to launch applications and uniform resource locators (URLs) that are displayed as icons

on the keyboard. The keyboard includes a display screen (e.g., 72), such as a liquid crystal display, for displaying user configurable icons proximate to a set of launch keys (e.g., 76). *See, e.g.*, Application, page 12, line 22 - page 13, line 2. The display screen on the keyboard may comprise any suitable display medium. *See e.g., id.* at page 13, lines 2-3. The launch keys are user configurable to allow a user to program the desired application program invocation or URL in the computer system memory circuitry. *See e.g., id.* at page 13, lines 3-6.

With regard to the embodiment of the invention set forth in independent claim 1, discussions of the recited features of claim 1 can be found at least in the below-cited locations of the specification and drawings. By way of example, an embodiment in accordance with the present invention relates to a user-configurable keyboard (e.g., keyboard 16). *See e.g.*, Application, page 5, line 22 – page 6, line 2; page 10, lines 9-10; page 13, lines 4-6; page 14, line 12 – page 16, line 13; Fig. 3; and Fig. 5. The user-configurable keyboard comprises a display (e.g., LCD 72) configurable to display a plurality of icons (e.g., configurable icons 74). *See e.g., id.*, page 12, line 19 – page 13, line 11; page 15, lines 11-23; page 16, lines 8-13; and Fig. 3. Further, the user-configurable keyboard comprises a plurality of keys (e.g., launch keys 76) corresponding to the plurality of icons and configurable to launch one of a software program and a Uniform Resource Locator corresponding to a respective icon. *See e.g., id.*, page 12, line 19 – page 13, line 11; page 14, line 22 – page 15, line 2; page 15, lines 5 – page 16, line 13; Fig. 3; and Fig. 5.

With regard to the embodiment of the invention set forth in independent claim 6, discussions of the recited features of claim 6 can be found at least in the below-cited locations of the specification and drawings. By way of example, an embodiment in accordance with the present invention relates to a computer system (e.g., computer system 10). *See e.g.*, Application, page 6, lines 4-11; page 8, line 16 – page 12, line 18; Fig. 1; Fig. 2; and Fig. 5. The system comprises a console (e.g., console 12) comprising a central processing unit (e.g., CPU 28) configurable to execute software routines. *See e.g., id.* at page 8, lines 15-22; page 9, line 21 – page 11, line 19; Fig. 1; Fig. 2; and Fig. 5. Additionally, the system comprises a monitor (e.g., monitor 14) electrically coupled to the console and configurable to display icons (e.g., icons 206) corresponding to one of a plurality of software applications and a

plurality of uniform resource locators. *See e.g., id.* at page 14, lines 12-21; Fig. 1; Fig. 2; Fig. 5; and Fig. 6. Further, the system comprises a keyboard (e.g., keyboard 16) electrically coupled to at least one of the monitor and the console. *See e.g., id.*, page 10, lines 9-10; page 13, lines 4-6; page 14, line 12 – page 16, line 13; Fig. 3; and Fig. 5. The keyboard comprises a display (e.g., LCD 72) configurable to display a plurality of icons (e.g., configurable icons 74) and a plurality of keys (e.g., launch keys 76) corresponding to the plurality of icons and configurable to launch one of a software program and a Uniform Resource Locator corresponding to a respective icon. *See e.g., id.*, page 12, line 19 – page 13, line 11; page 14, line 22 – page 15, line 2; page 15, line 5 – page 16, line 13; Fig. 3; and Fig. 5.

With regard to the embodiment of the invention set forth in independent claim 15, discussions of the recited features of claim 15 can be found at least in the below-cited locations of the specification and drawings. By way of example, an embodiment in accordance with the present invention relates to a method of configuring a keyboard (e.g., keyboard 16). *See e.g.*, Application, page 6, lines 13-17; page 14, line 12 – page 16, line 13. The method comprises selecting (e.g., block 300) an icon (e.g., icon 206) from a system monitor (e.g., monitor 14), the icon corresponding to one of a software application and a uniform resource locator. *See e.g., id.*, page 12, line 11 – page 13, line 11; page 14, line 12 – page 15, line 5; Fig. 5; and Fig. 6. Additionally, the method comprises transmitting (e.g., block 306) the icon from the monitor to a keyboard (e.g., keyboard 16). *See e.g., id.*, page 6, lines 13-17; page 14, line 16 – page 15, line 22; page 15, lines 21-22; and Fig. 5. Further, the method comprises displaying (e.g., block 306) the icon on the keyboard. *See e.g., id.*, page 6, lines 13-17; page 15, lines 21-22; and Fig. 5.

With regard to the embodiment of the invention set forth in independent claim 23, discussions of the recited features of claim 23 can be found at least in the below-cited locations of the specification and drawings. By way of example, an embodiment in accordance with the present invention relates to a method of launching one of a software application and a uniform resource locator. *See e.g.*, Application, page 6, line 19 – page 7, line 2. The method comprises selecting (e.g., block 300) an icon from a system monitor, the icon corresponding to one of a software application and a uniform resource locator. *See e.g., id.*, page 6, line 19 – page 7, line 2; page 14, line 12 – page 15, line 5; and Fig. 5. Additionally,

the method comprises transmitting (e.g., block 306) the icon from the monitor to a keyboard and displaying (e.g., block 306) the icon on the keyboard. *See e.g., id.*, page 6, line 19 – page 7, line 2; page 14, line 16 – page 15, line 22; page 15, lines 21-22; and Fig. 5. Further, the method comprises depressing (e.g., block 310) a key on the keyboard corresponding to the icon. *See e.g., id.*, page 16, lines 11-13.

6. **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

First Ground of Rejection for Review on Appeal:

Appellants respectfully urge the Board to review and reverse the Examiner's first ground of rejection in which the Examiner rejected claims 1-3 and 5 under 35 U.S.C. § 102(b), as being anticipated by Kim (U.S. Patent No. 5,181,029) ("Kim").

Second Ground of Rejection for Review on Appeal:

Appellants respectfully urge the Board to review and reverse the Examiner's second ground of rejection in which the Examiner rejected claim 4 under 35 U.S.C. § 103(a) as being obvious over Kim.

Third Ground of Rejection for Review on Appeal:

Appellants also respectfully urge the Board to review and reverse the Examiner's third ground of rejection in which the Examiner rejected claims 6-32 under 35 U.S.C. § 103(a) as obvious over Rosenberg (U.S. Patent No. 6,693,626) ("Rosenberg") in view of Kim.

7. **ARGUMENT**

As discussed in detail below, the Examiner has improperly rejected the pending claims. Further, the Examiner has misapplied long-standing and binding legal precedents and principles in rejecting the claims under 35 U.S.C. §§ 102 and 103. Accordingly, Appellants respectfully request full and favorable consideration by the Board, as Appellants assert that claims 1, 6, 15, and 23, and the claims depending therefrom are currently in condition for allowance.

A. **First Ground of Rejection:**

As set forth above, in the Final Office Action, the Examiner rejected claims 1-3 and 5 under 35 U.S.C. § 102(b) as being anticipated by Kim. With regard to independent claim 1, the Examiner stated:

Regarding claim 1, Kim teaches a user-configurable keyboard (see Fig. 1 (20)) comprising: a display configurable to display a plurality of icons; (LCD screen (70), icons may be displayed within each of the designated areas, see Fig. 1 (70) and col. 3, lines 55-60) and a plurality of keys corresponding to the plurality of icons (an area on the LCD screen (70) is designated for each of the function key (50) so that each of the designated areas is proximate to the function key (50), see col. 3, line 44-48) and configurable to launch one of a software program (a program selector (80) is used to select the desired software program and a user may assign a specified series of keystrokes to a given function key. In PROGRAM mode, the user is able to define or reconfigure a function key using the appropriate keystrokes necessary to perform the desired functions, see col. 3, lines 64-66 and col. 4, lines 9-21).

Note that a keyboard template (10)(overlaid onto the computer keyboard (20)) is an integral part of the overall keyboard structure shown in Fig. 1

Also note that given the way the claim is written, the examiner considers only one of the last two limitations, and hence excludes the limitation stating “a Uniform Resource Locator corresponding to a respective icon.”

Final Office Action, pages 6-7.

Appellants respectfully traverse this rejection. Anticipation under 35 U.S.C. § 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under 35 U.S.C. § 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). To maintain a proper rejection under 35 U.S.C. § 102, a single reference must teach each and every element or step of the rejected claim. *Atlas Powder v. E.I. du Pont*, 750 F.2d 1569 (Fed. Cir. 1984). Thus, if the claims contain even one

recitation not found in the cited reference, the reference does not anticipate the claimed subject matter.

As set forth above, the present application is directed to a method and apparatus for displaying a plurality of icons on a user configurable keyboard to allow users to launch applications and uniform resource locators (URLs) that are displayed as icons on the keyboard. The keyboard includes a display screen, such as a liquid crystal display (LCD), for displaying user configurable icons proximate to a set of launch keys. *See id.*, page 12, line 22 - page 13, line 2. The display screen on the keyboard may comprise any suitable display medium. *See Application*, page 13, lines 2-3. The launch keys are user configurable to allow a user to program the desired application program invocation or URL in the computer system memory circuitry. *See id.*, page 13, lines 3-6. Accordingly, independent claim 1 recites “[a] user-configurable keyboard *comprising: a display* configurable to display a plurality of icons.” (Emphasis added).

The Kim reference discloses a template 10 having an LCD screen 70 that allows letters, words or graphics (e.g. icons) to be displayed within each of a group of designated 50-pixel by 50-pixel areas. *See Kim*, col. 3, lines 21-29 and 56-64. Each designated area may correspond to function keys 50 proximate to each designated area. *See Kim*, col. 3, lines 44-48. Accordingly, the LCD screen 70 may list various functions that may be invoked, and further may associate each of the functions with a key icon. *See Kim*, col. 3, lines 60-63. However, in sharp contrast to the claimed invention, the LCD screen 70 of Kim is clearly *not* part of the keyboard. Instead, the LCD screen 70 is provided on an electronic keyboard template 10, which is merely overlaid onto a computer keyboard 20. *See Kim*, col. 3, lines 21-29. Accordingly, Kim does not disclose a *keyboard* comprising a display configurable to display a plurality of icons, as recited in claim 1. Rather, Appellants assert that Kim merely discloses a *template* 10 comprising the LCD screen 70 that may be coupled to a keyboard 20. Indeed, at most, Kim discloses providing designations for a portion of the keyboard (e.g., function keys) on an LCD screen display 70 on a component that is *separate from* the keyboard.

In the Final Office Action, the Examiner stated that “a keyboard template (10)(overlaid onto the computer keyboard (20)) is an integral part of the overall keyboard structure shown in Fig. 1.” Final Office Action, page 6. However, Appellants assert that the Examiner’s statement is contradictory. An *integral* part of the *keyboard* cannot be “*overlaid onto*” the *keyboard*. See Kim, col. 3, line 25 (emphasis added). In other words, a component would not be overlaid onto itself. That is, the keyboard of Kim *does not* comprise the display. Further, the figures of the Kim reference plainly illustrate the keyboard 20 and template 10 as separate components. See Kim, Fig. 2. Accordingly, Appellants assert that the description and illustrations set forth in the Kim reference clearly support the assertion that the template 10 is *separate* from the keyboard 20. In fact, the Kim reference makes it a point to emphasize that the template 10 is *separate* from the keyboard 20 and discloses advantageous features of the overlaid template 10 which would be wholly unnecessary if the template 10 were indeed part of the keyboard 20. See Kim, col. 3, lines 25-33. Thus, Appellants stress that the Kim reference does not disclose a keyboard *comprising a display*.

In the Response to Arguments portion of the Final Office Action, the Examiner maintained that Kim teaches that the template 10, which includes the LCD screen 70, is part of the keyboard 20. Final Office Action, page 2. To support this assertion, the Examiner pointed to Fig. 1 of Kim and stated that the figure clearly shows “the *overlaid* template (10) is part of the keyboard (20).” (Emphasis added). Again, Appellants stress that this assertion contradicts the plain and unambiguous claim language and the clear teaching of Kim. Specifically, it would not make sense for an *integral* part of the *keyboard* to be overlaid on top of the *keyboard*. The keyboard 20 *does not* “comprise” the template 10. Rather, the keyboard 20 is coupled to the template 10. Appellants stress that Fig. 1 of Kim is a top plan view that merely shows the *separate* template 10 overlaid on top of the keyboard 20. This relationship between the template 10 and the keyboard 20 is clearly described throughout Kim. See col. 3, lines 25-33 and Fig. 2. Indeed, Fig. 2, which is on the same page as Fig. 1 in the Kim reference, clearly shows the template 10 as overlaying but *separate* from the keyboard 20.

In view of the remarks set forth above, Appellants respectfully submit that Kim fails to disclose each and every recited feature of claim 1. Thus, Kim does not anticipate independent claim 1 or the claims depending therefrom. Accordingly, Appellants respectfully request that the Board overturn the rejection of independent claim 1 and provide an indication of allowance of claim 1 over Kim. Further, Appellants request that the Board overturn the rejection of dependent claims 2, 3 and 5 based on their dependency from claim 1 and for unique matter recited in each dependent claim.

B. **Second Ground of Rejection:**

As set forth above, in the Final Office Action, the Examiner rejected claim 4 under 35 U.S.C. § 103(a) as being obvious over Kim. Specifically, the Examiner stated:

Regarding claim 4, while Kim teaches an area on the LCD screen 70, which is designated for each of the function keys 50 (col. 3, lines 40-47). Kim does not teach a display having a single window.

It would have been an obvious matter of design choice to make a single large area display screen 70, since such a modification would have involved a mere change in the size of a component. A change in size is generally recognized as being within the level of ordinary skill in the art *In re Rose*, 105 USPQ 237 (CCPA 1955).

Final Office Action, page 8.

Appellants respectfully traverse this rejection. The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (P.T.O. Bd. App. 1979). To establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (Bd. Pat. App. & Inter. 1985).

Appellants assert that the reference cited by the Examiner fails to disclose *all* of the claimed elements in dependent claim 4. Appellants note that claim 4 is dependent on claim 1. The Examiner relied on Kim for its alleged teachings of the features in claim 1. However, as

set forth above, Kim fails to teach a keyboard *comprising* a display. Specifically, the LCD screen 70 of the Kim reference is clearly *not* on the keyboard. Instead, the LCD screen 70 is provided on an electronic keyboard template 10, which is merely overlaid onto the *separate* computer keyboard 20. *See* Kim, col. 3, lines 21-29. The Examiner's assertion that it would be obvious to one of ordinary skill in the art to change the size of the display screen in Kim does not remedy this deficiency of Kim. Accordingly, the Examiner has not established a *prima facie* case of obviousness with respect to claim 4.

In view of the remarks set forth above, Appellants respectfully submit that Kim fails to disclose all of the features of claim 4 and changing the size of the display screen in Kim does not remedy the deficiencies of Kim. Accordingly, Appellants respectfully request that the Board overturn the rejection of dependent claim 4, and indicate allowability of claim 4 over Kim.

C. **Third Ground of Rejection:**

The Examiner rejected claims 6-32 under 35 U.S.C. § 103(a) as being obvious over Rosenberg (U.S. Patent No. 6,693,626) in view of Kim. Appellants respectfully traverse this rejection.

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (P.T.O. Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (Bd. Pat. App. & Inter. 1985). When prior art references require a selected combination to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gained from the invention itself, i.e., something in the prior art as a whole must

suggest the desirability, and thus the obviousness, of making the combination. *Uniroyal Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 U.S.P.Q.2d 1434 (Fed. Cir. 1988). Moreover, the Examiner must provide *objective evidence*, rather than subjective belief and unknown authority, of the requisite motivation or suggestion to combine or modify the cited references. *In re Lee*, 61 U.S.P.Q.2d 1430 (Fed. Cir. 2002).

Appellants assert that the references cited by the Examiner, whether considered separately or in hypothetical combination, do not disclose *all* of the claimed features of claim 6. For example, neither of the cited references teach a “keyboard comprising: *a display configurable to display a plurality of icons*,” as recited in claim 6. (Emphasis added).

The Examiner admitted that Rosenberg fails to disclose a “keyboard comprising: a display configurable to display a plurality of icons.” *See* Final Office Action, page 9. The Examiner attempted to remedy this deficiency by citing Kim. Specifically, the Examiner relied on Kim for its alleged disclosure of the “keyboard comprising: a display configurable to display a plurality of icons,” in an attempt to remedy the admitted deficiency of Rosenberg. *Id.* However, Appellants stress that *both* Rosenberg *and* Kim fail to disclose these recited features. Again, as set forth above, the Kim reference does not disclose a keyboard *comprising* a display. Specifically, the LCD screen 70 of the Kim reference is clearly *not* on the keyboard. Instead, the LCD screen 70 is provided on an electronic keyboard template 10, which is merely overlaid onto the separate computer keyboard 20. *See* Kim, col. 3, lines 21-29. Accordingly, the Examiner has not established a *prima facie* case of obviousness with respect to claim 6 because all of the recited features are not present in the cited references.

Regarding the rejection of independent claims 15 and 23, Appellants assert that the references cited by the Examiner, whether considered separately or in hypothetical combination, do not disclose every claimed feature. For example, claims 15 and 23 each recite, “*transmitting the icon from the monitor to a keyboard*.” (Emphasis added). In the Final Office Action, the Examiner relied on Rosenberg for its alleged teaching of this feature. *See* Office Action, pages 11 and 13. However, Appellants assert that Rosenberg is deficient

with respect to this feature. Further, Appellants assert that Kim does not remedy the deficiencies of Rosenberg. Indeed, Kim was merely cited by the Examiner for its alleged teaching of “screen LCD (70) extending above function keys (50).” *See* Final Office Action, pages 11 and 14. Thus, as recognized by the Examiner, the Kim reference does not disclose or support “transmitting [an] icon from [a] monitor to a keyboard,” as recited in claims 15 and 23. However, contrary to the Examiner’s assertions, the Rosenberg reference fails to disclose this feature as well.

Embodiments of the present invention are directed to launch keys that are user configurable to allow a user to program the desired application program invocation or URL in the computer system memory circuitry. *See* Application, page 13, lines 3-6. Accordingly, claims 15 and 23 recite, “selecting an icon from a system monitor ... *transmitting the icon from the monitor to a keyboard* [and]... displaying the icon on the keyboard.” (Emphasis added). Rosenberg fails to disclose “transmitting the icon from the monitor to a keyboard” as recited in claims 15 and 23.

In contrast with embodiments of Applicants’ invention, Rosenberg “is directed to a haptic keyboard device that allows the user to experience haptic feedback when using the keyboard ... [which] allows the user to provide input to a computer system and experience haptic feedback when typing and otherwise inputting information using a keyboard.” Rosenberg, col. 2, lines 6-12. Appellants respectfully submit that there is nothing in Rosenberg that can be accurately characterized as *transmitting an icon* from a monitor to a keyboard. Rosenberg simply discloses a haptic keyboard device which allows a user to interact with a computer. There is nothing in Rosenberg to suggest that the haptic keyboard device could be implemented or modified to transmit an icon from a monitor to a keyboard, as recited in claims 15 and 23. Appellants assert that because the Rosenberg reference does not even disclose transmitting an icon to a keyboard, it cannot possibly disclose “selecting an icon from a system monitor,” “transmitting the icon from the monitor to a keyboard,” and then “displaying the icon on a keyboard,” as recited in claims 15 and 23. Accordingly, the Examiner has not established a *prima facie* case of obviousness with respect to claims 15 and 23, because all of the recited features are not present in the cited references.

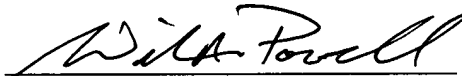
Neither of the cited references either alone or in combination discloses each of the elements recited in independent claims 15 and 23, much less provide any motivation or suggestion to combine these teachings in the manner recited in the present claims. Accordingly, Appellants respectfully request that the Board overturn the rejection of claims 15 and 23 and the claims depending therefrom. Further, Appellants request an indication of allowability of claims 15 and 23 over the cited references, as well as the claims dependent therefrom.

Conclusion

Appellants respectfully submit that all pending claims are in condition for allowance. However, if the Examiner or Board wishes to resolve any other issues by way of a telephone conference, the Examiner or Board is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

Date: January 29, 2007



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Intellectual Property Administration
P.O. Box 272400
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8. **APPENDIX OF CLAIMS ON APPEAL**

1. A user-configurable keyboard comprising:
a display configurable to display a plurality of icons; and
a plurality of keys corresponding to the plurality of icons and configurable to launch one of a software program and a Uniform Resource Locator corresponding to a respective icon.
2. The keyboard, as set forth in claim 1, wherein the display comprises a liquid crystal display.
3. The keyboard, as set forth in claim 1, wherein the keys comprise function keys.
4. The keyboard, as set forth in claim 1, wherein the display comprises a single window having a plurality of icons.
5. The keyboard, as set forth in claim 1, wherein the display comprises a plurality of windows, each window having at least one icon.
6. A computer system comprising:
a console comprising a central processing unit configurable to execute software routines;
a monitor electrically coupled to the console and configurable to display icons corresponding to one of a plurality of software applications and a plurality of uniform resource locators; and
a keyboard electrically coupled to at least one of the monitor and the console, the keyboard comprising:
a display configurable to display a plurality of icons; and
a plurality of keys corresponding to the plurality of icons and configurable to launch one of a software program and a Uniform Resource Locator corresponding to a respective icon.

7. The system, as set forth in claim 6, wherein the console is coupled to a network.
8. The system, as set forth in claim 6, wherein the console is coupled to the Internet.
9. The system, as set forth in claim 6, comprising a mouse.
10. The system, as set forth in claim 6, wherein the keyboard is electrically coupled to the console through a universal serial bus cable.
11. The system, as set forth in claim 6, wherein the display of the keyboard comprises a liquid crystal display.
12. The system, as set forth in claim 6, wherein the keys on the keyboard are function keys.
13. The system, as set forth in claim 6, wherein the display comprises a single window having a plurality of icons.
14. The keyboard, as set forth in claim 6, wherein the display comprises a plurality of windows, each window having at least one icon.
15. A method of configuring a keyboard comprising the acts of:
 - (a) selecting an icon from a system monitor, the icon corresponding to one of a software application and a uniform resource locator;
 - (b) transmitting the icon from the monitor to a keyboard; and
 - (c) displaying the icon on the keyboard.
16. The method, as set forth in claim 15, wherein act (a) comprises the step of selecting an icon from a website.

17. The method, as set forth in claim 15, wherein act (a) comprises the step of selecting an icon from an operating system window.

18. The method, as set forth in claim 15, wherein act (a) comprises the step of selecting an icon using a mouse.

19. The method, as set forth in claim 15, wherein act (a) comprises placing the icon in a predetermined location on a system monitor.

20. The method, as set forth in claim 19, wherein act (a) comprises the step of placing the icon in a keyboard configuration window on the system monitor.

21. The method, as set forth in claim 15, wherein act (b) comprises the step of transmitting the icon from the monitor to a keyboard using a universal serial bus cable.

22. The method, as set forth in claim 15, wherein act (c) comprises the step of displaying the icon on a liquid crystal display.

23. A method of launching one of a software application and a uniform resource locator comprising the acts of:

- (a) selecting an icon from a system monitor, the icon corresponding to one of a software application and a uniform resource locator;
- (b) transmitting the icon from the monitor to a keyboard;
- (c) displaying the icon on the keyboard; and
- (d) depressing a key on the keyboard corresponding to the icon.

24. The method, as set forth in claim 23, wherein act (a) comprises the act of selecting an icon from a website.

25. The method, as set forth in claim 23, wherein act (a) comprises the act of selecting an icon from an operating system window.

26. The method, as set forth in claim 23, wherein act (a) comprises the act of selecting an icon using a mouse.

27. The method, as set forth in claim 23, wherein act (a) comprises the act of placing the icon in a predetermined location on a system monitor.

28. The method, as set forth in claim 27, wherein act (a) comprises the act of placing the icon in a keyboard configuration window on the system monitor.

29. The method, as set forth in claim 23, wherein act (b) comprises the act of transmitting the icon from the monitor to a keyboard using a universal serial bus cable.

30. The method, as set forth in claim 23, wherein act (c) comprises the step of displaying the icon on a liquid crystal display.

31. The method, as set forth in claim 23, wherein act (d) comprises the step of depressing a function key on the keyboard.

32. The method, as set forth in claim 23, wherein act (d) comprises launching one of a software application and a Uniform Resource Locator corresponding to the icon corresponding to the depressed key.

9. **APPENDIX OF EVIDENCE**

None.

10. **APPENDIX OF RELATED PROCEEDINGS**

None.